



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 4438-99
2 December 1999



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 December 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Marine Corps on 4 October 1994 after more than seven years of prior active service. Psychiatric evaluations, conducted on 17 and 23 April 1998, found that you had a personality disorder. Subsequently, on 15 May 1998 you received nonjudicial punishment for an unauthorized absence of three days.

On 5 August 1998 an administrative discharge board recommended that you be honorably discharged by reason of a diagnosed personality disorder. After review by the discharge authority, the recommendation for separation was approved and you were honorably discharged by reason of "Not a Physical Disability, Personality Disorder" on 15 October 1998. At that time you were assigned a reenlistment code of RE-3P.

The Board noted your contentions that your discharge was the result of a biased commanding officer, and you do not have a personality disorder. However, an RE-3P reenlistment code is the most favorable reenlistment code authorized by regulatory

guidance for individuals discharged due to diagnosed personality disorders. It means that you may not reenlist in the Marine Corps without obtaining a waiver from recruiting officials. The Board noted that there is no evidence in the record, and you have submitted none, to show that your commanding officer was biased. Further, although a recent examination indicates "no evidence . . . of psychiatric dysfunction presently," that evaluation was not made while you were under the peculiar stresses of military life. The Board thus concluded that there is no error or injustice in your reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director